

BESTPITCH
35768-031802



ROANOKE CITY COUNCIL
REGULAR SESSION

MARCH 18, 2002
2:00 P.M.

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

- 1. Call to Order--Roll Call.** (All present - Council Member White left the meeting following agenda item 5. a.)

The Invocation was delivered by The Reverend W. Ray Douglas, Pastor, Price Memorial African Episcopal Zion Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, March 21, 2002,

at 7:00 p.m., and Saturday, March 23, 2002, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGMENTS: **NONE.**

3.

CONSENT AGENDA

(APPROVED 7-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meeting of Council held on Monday, February 4, 2002.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

- C-2 A communication from the City Manager requesting a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in the request.
File #2-104-132

- C-3 A communication from the City Manager requesting a Closed Meeting to discuss acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in the request.
File # 2-104-132

- C-4 A communication from the City Attorney requesting a Closed Meeting to consult with legal counsel on a matter of probable litigation, pursuant to Section 2.2-3711 (A)(7), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in the request.
File #83-132

- C-5 A communication from the City Attorney requesting a Closed Meeting to consult with legal counsel on a matter of probable litigation, pursuant to Section 2.2-3711 (A)(7), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in the request.
File #83-132

- C-6 A communication from the City Manager requesting that Council schedule a public hearing for Monday, April 15, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, to consider amendments to the Enterprise Zone Program.

RECOMMENDED ACTION: Concur in the request.
File #104-266

REGULAR AGENDA

Review of the following applications for appointment to the Roanoke City School Board for terms commencing July 1, 2002, and ending June 30, 2005. (Two vacancies.)

James P. Beatty
Robert H. Bird
Carl D. Cooper
Edward Garner
William H. Lindsey
William E. Skeen
Robert J. Sparrow

Received and filed.
File #110-467

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

- a. A communication from Vice-Mayor William H. Carder recommending that the north side of Elmwood Park be designated as Martin Luther King Jr. Plaza, that the remainder of the park keep the name of Elmwood, and that design and cost issues be referred to the City Manager for review and recommendation to Council.

A resolution renaming a portion of Elmwood Park the Martin Luther King, Jr. Plaza, in honor of the slain civil rights leader, was defeated by a 4-3 vote of the Council.

File #67-80

Council Member White left the meeting.

- b. A request of the Roanoke City School Board to present an update on the International Baccalaureate (IB) Programme. Sandra B. Burks, Director of Magnet Programs, Roanoke City Public Schools.

Received and filed.

File #467

6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS:

- 1. Briefing on outdoor dining. (20 minutes)
Received and filed.
File #555
- 2. Briefing on residential parking. (10 minutes)
Received and filed.
File #556

ITEMS RECOMMENDED FOR ACTION:

3. A communication recommending execution of a one-year Parking Agreement with First Union National Bank for 175–200 parking permits in the Tower Parking Garage, with up to two one-year renewals, retroactively from December 16, 2001.

Adopted Resolution No. 35768-031802. (6-0)
File #303-369

4. A communication recommending appropriation of \$235,000.00 for capital improvements at the Roanoke Civic Center.

Adopted Budget Ordinance No. 35769-031802. (6-0)
File #60-192-217

5. A communication recommending appropriation of \$23,657.00 in connection with the Williamson Road Parking Garage annual CDBG payment for fiscal year 2002.

Adopted Budget Ordinance No. 35770-031802. (6-0)
File #60-313

6. A communication recommending appropriation of TEA-21 Enhancement funds, in the amount of \$488,000.00, to the Western Virginia Foundation for the Arts and Sciences, in connection with the Roanoke Passenger Station Renovation Project.

Adopted Budget Ordinance No. 35771-031802. (6-0)
File #60-427-441-537

7. A communication recommending acceptance of the bid submitted by MBC Construction, Inc., in connection with major repairs to Memorial Bridge, Structure No. 1826, in the amount of \$1,147,789.75; and transfer of funds.

**Adopted Budget Ordinance No. 35772-031802 and Ordinance No. 35773-031802. (6-0.)
File #60-102**

8. A communication recommending acceptance of the bid submitted by Breakell, Inc., for infrastructure improvements to the Greater Gainsboro Redevelopment Area, Phase II, in the amount of \$496,183.93; execution of an amendment to the Street Lighting Agreement with Appalachian Power Co., d/b/a American Electric Power to provide street lights and associated electrical work in the amount of \$350,000.00; and appropriation or transfer of funds.

**The matter was deferred until the regular meeting of Council on Monday, April 1, 2002.
File #46-60-433-434**

9. A communication recommending changes to emergency medical services user fees to maximize medicare reimbursements.

**Adopted Resolution No. 35774-031802. (5-1, Council Member Wyatt voted no.)
File #289-354**

10. A communication with regard to consultant services for the Bullitt-Jamison Pilot Project.

It was the consensus of Council that prior to execution of the consultant services contract, the City Manager will meet with Members of Council to discuss matters of interest and/or concern.

**Adopted Resolution No. 35775-031802. (6-0)
File #178-405-514**

11. A joint communication from the City Manager and Director of Finance recommending execution of a lease purchase agreement with Koch Financial Corporation for vehicular equipment, in the amount of \$1,157,500.00; and appropriation of funds.

**Adopted Budget Ordinance No. 35776-031802 and Resolution No. 35777-031802. (6-0)
File #60-373-472**

b. DIRECTOR OF FINANCE:

1. A report recommending transfer of funds among City departments to reallocate funds for Department of Technology charges for fiscal year 2001-2002.

**Adopted Budget Ordinance No. 35778-031802. (6-0)
File #1-60-175-301**

7. REPORTS OF COMMITTEES:

- a. A communication from the Roanoke City School Board requesting appropriation of \$189,291.00 for the Urgent School Renovation and Technology Grant; and a report of the Director of Finance recommending that Council concur in the request.

**Adopted Budget Ordinance No. 35779-031802. (6-0)
File #60-467**

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

Vice-Mayor Carder referred to a communication from the City Manager in connection with the impact on the City's budget as a result of State budget reductions for fiscal year 2003.

File #60

Council Member Wyatt expressed concern with regard to a fungus-like material in the air vents in the kitchen area at Fire Station #10, 5202 Aviation Drive, N. W.

File #70

Council Member Hudson inquired if smaller shuttle buses could be used to transport employees from the Roanoke Civic Center to the downtown area.

File #55-192

At a future date, the Mayor requested that a Council work session be held on the public transit system.

File #55

- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

11. CITY MANAGER COMMENTS:

The City Manager advised of a slight increase in the water level at the Carvins Cove Reservoir as a result of rainfall over the weekend.

File #468

The City Manager presented copy of the following publications that are available to Roanoke's citizens; i. e.: *Every Drop Counts*, *A Citizens Guide To Mandatory Water Conservation* and *The Roanoke Citizen Magazine*.

File #104-468

Council adopted Ordinance No. 35780-031802 providing for acquisition of property located between 117-123 Salem Avenue, S. W., from Virginia Vaughan.

File #2

12. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS ALSO A TIME FOR INFORMAL DIALOGUE BETWEEN COUNCIL MEMBERS AND CITIZENS. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

AT 5:40 P.M., THE MEETING WAS DECLARED IN RECESS TO BE IMMEDIATELY RECONVENED IN CLOSED SESSION IN ROOM 159.

AT 6:55 P.M., THE MEETING WAS DECLARED IN RECESS TO BE RECONVENED AT 7:00 P.M., IN THE CITY COUNCIL CHAMBER.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***MARCH 18, 2002
7:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

Call to Order -- Roll Call. (Council Member White was absent.)

The Invocation was delivered by Mayor Ralph K. Smith.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

Welcome. Mayor Smith.

NOTICE:

Tonight's meeting will be taped by RVTV Channel 3 to be replayed on Thursday, March 21, 2002, at 7:00 p.m., and Saturday, March 23, 2002, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

A. PUBLIC HEARINGS:

1. Public hearing to consider the sale and conveyance of City-owned property located on Nelms Lane, N. E., identified as Official Tax No. 7400500, to James E. and Betty W. Whittaker for \$500.00. Darlene L. Burcham, City Manager.

**Adopted Ordinance No. 35781-031802. (6-0)
File #2-166**

B. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS ALSO A TIME FOR INFORMAL DIALOGUE BETWEEN COUNCIL MEMBERS AND CITIZENS. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

At 7:15 p.m., the meeting was declared in recess for continuation of the Closed Sessions which were previously approved by Council.

CERTIFICATION OF CLOSED SESSION. (6-0)